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REMARKS

The present response is intended to be fully responsive to all points of rejection raised by the Examiner in the Office Action dated March 9, 2006, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 1 – 8 are pending in the application. Claims 1 – 8 have been rejected.

CLAIM REJECTIONS

35 U.S.C. § 102(e) Rejections

Claims 1, 2, and 8 have been rejected under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,687,748 to Zhang et al. (hereinafter “Zhang”). Applicant respectfully traverses this rejection in view of the remarks that follow.

In the instant Office Action the Examiner asserts that Zhang’s Network Management Server 12 is equivalent to Applicant’s “device component” as recited in claim 1. Examiner states in point 16 that “...each source device (server 12) does, in fact, communicate with a destination device (VND 38).”

Applicant defines a device component on page 2, last paragraph, as follows: “A software and/or hardware “agent” is defined for each network element...Each agent in turn comprises a plurality of device components (DCs), with each DC modeling one or more physical and/or logical aspects of the network element...” (emphasis added).

Applicant therefore respectfully submits that Zhang’s Network Management Server 12 does not meet Applicant’s definition of a device component. Zhang’s Network Management Server 12 is not part of an “agent...defined for each network element” as Applicant’s definition requires, nor does Zhang’s Network Management Server 12

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“model...one or more physical and/or logical aspects of the network element” as Applicant’s definition requires.

In Zhang, modeling of network devices is performed by simulation device 18 which “simulates the operation of a number of network devices 16 to test the scalability, performance, and reliability of network management server 12” (col. 2, lines 59 – 62). To achieve this, simulation device 18 “simulates the operation of network devices 16 using one or more virtual network addresses. In this respect, simulation device 18 provides virtual network devices 38” (col. 4, lines 8 – 13). Thus, it is not Zhang’s network management server 12 that models network devices, but rather “Network management server 12 manages virtual network devices 38 as though devices 38 are physical network devices 16” (ad loc.).

Thus, when Applicant’s claim 1 recites “sending a simulated network message within a model of said computer network from a source device component within said model to a destination device component within said model along a device component path” (emphasis added), this cannot possibly be anticipated by Zhang’s network management server 12 communicating with a VND 38, as Zhang’s network management server 12 is not even remotely equivalent to the recited device component as defined by Applicant.

In view of the above arguments, Applicant respectfully submits that claim 1 is not anticipated by Zhang under 35 U.S.C. § 102(e), and is therefore allowable.

Claims 2 – 8 depend directly or indirectly from independent claim 1, and are, *a fortiori*, deemed allowable.

Applicant therefore respectfully requests that the rejection of claims 1 – 8 be withdrawn.

35 U.S.C. § 103(a) Rejections

Claims 3 – 7 have been rejected under 35 U.S.C. §103(a), as being unpatentable over Zhang in view of U.S. Patent No. 6,728,214 to Hao et al. (hereinafter “Hao”).

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Applicant respectfully traverses this rejection in view of the above arguments that Zhang's network management server 12 is not equivalent to Applicant's device component, and that claims 3 – 7 depend directly or indirectly from independent claim 1, and are, *a fortiori*, deemed allowable.

Conclusion

Applicant respectfully submits that entry of the instant amendment and consideration of the above remarks renders the present application in condition for allowance, which action Applicant respectfully solicits.

Petition For Three-Month Extension Of Time Under 37 CFR 1.136(a)

The period for responding to the instant Notice was set to expire on June 9, 2006. Applicant hereby requests that the period for responding to the instant Office Action be extended by three (3) months, so as to expire on September 9, 2006, which, being a Saturday, is extended to September 11, 2006. Accordingly, this response is being timely filed.

The fee for a Petition for a Three-Month Extension of Time is Five Hundred and Ten Dollars (\$510.00) dollars for a small entity. The United States Patent and Trademark Office is hereby authorized to charge Deposit Account 501380 in the amount of \$510 and any additional fee which is necessary in connection with the filing of this response and petition.

Favorable action on this response and petition is courteously solicited.

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ALPHAPATENT ASSOCIATES LTD.
55 REUVEN ST.
BEIT SHEMESH, ISRAEL 99544
TEL. (US) 516-620-4573
FAX. (US) 206-374-6672
dswirsky@alphapatent.com

Respectfully submitted,



Daniel J. Swirsky
Agent for Applicant(s)
Registration No. 45,148